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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

MDL NO. 3084 CRB

(Individual Case No. 3:24-cv-05061-CRB)

This Document Relates to:

*JANE DOE WHB 3 v. UBER
TECHNOLOGIES, INC.*, (Individual Case
No. 3:24-cv-05061-CRB)

**DECLARATION OF WALTER
CUBBERLY IN SUPPORT OF
PLAINTIFF JANE DOE WHB 3'S
RESPONSE TO DEFENDANTS'
MOTION TO DISMISS [Dkt. #4680]**

Judge: Honorable Charles R. Breyer

Date: February 13, 2026

Time: 10:00 AM

Courtroom: 6 – 17th Floor

DECLARATION OF WALT CUBBERLY

I, Walt Cubberly, declare as follows:

1. My name is Walt Cubberly. I am licensed to practice law in California, Texas, Missouri, and Pennsylvania. I am admitted to the Northern, Southern, Eastern, and Central District Courts of California, the Eastern District of Missouri, the Eastern District of Pennsylvania, and the Southern District of Texas. I am also admitted to the Fifth Circuit Court of Appeals.
2. All the facts stated in this declaration are true and correct and based on my personal knowledge.
3. I am an attorney at Williams Hart & Boundas, LLP.
4. I am the attorney of record for Ms. Jane Doe WHB 3.
5. On November 5, 2025, Ms. Doe moved to dismiss her case in this Court.
6. The next day, the Court terminated her case.
7. On December 16, 2025, Uber's Counsel reached out to me by text and said Uber would be filing a motion in the MDL related to the Hawaii action. He asked me to give him a call when I could. I did, but we never connected by phone that day.
8. I did, however, text him back and ask him why Uber would be filing a case in the MDL related to Ms. Doe's case.
9. He told me it is a duplicate. I replied that there was no need to file anything because we would dismiss the suit in this Court.
10. Uber filed its motion to dismiss and for sanctions that same day.
11. I later sent Uber's counsel an e-mail telling him we had dismissed the case on November 5, 2025, and the Court had terminated the case the next day.
12. We later spoke by phone, and Uber's counsel stated that despite the fact that the case had been dismissed, Uber wanted this Court to still hear the motion because Uber wanted to recover its fees for having filed the motion. He added that Uber had not received notice

1 of Ms. Doe's dismissal because it was filed in her case and not the Master file. I said we
2 would respond and seek fees ourselves if that was Uber's position.

3 I declare under penalty of perjury, pursuant to the laws of the State of California, that the
4 earlier paragraphs are true and correct.

5
6 Executed this 30th day of December 2025 in Houston, Texas.

7
8 By: /s/ Walt Cubberly
9 Walt Cubberly

10
11
12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on December 30, 2025, I electronically filed the above document with
14 the Clerk of Court using the CM/ECF system which automatically sends notification of the filing
15 to all counsel of record.

16
17 By: /s/ Walt Cubberly
18 Walt Cubberly